IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE D.APPA RAO

–
–

WRIT PETITION No.13214 OF 2006

Between:

M/s Mother Teresa P.G.College,
Rep. by its Principal P.Somashankar.

..... PETITIONER

AND

The Regional Transport Officer
(Additional Registering Authority),
Uppal, Ranga Reddy District,
and another.

....RESPONDENTS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
D.APPA RAO

WRIT PETITION No.13214 OF 2006

O R D E R
(Per Sri Justice J.Chelameswar)

Aggrieved by the seizure of the vehicle bearing Bus No.ABT 3502 of which the petitioner is said to be the registered owner, the present writ petition is filed with a prayer as follows:

> **"… Hon'ble Court may be pleased to issue a order or direction, more particularly one in the nature of writ of Mandamus declaring the seizure and continued detention of the petitioner's Educational Institution Bus bearing R.No.ABT 3502 seized under vehicle check report No.1860518 dt.24-06-2006 by the 2nd respondent, as arbitrary, illegal, unjust, unconstitutional and without jurisdiction and consequently direct the respondents to forthwith release the petitioner's Educational Institution Bus vehicle bearing R.No.ABT 3502, to the petitioner and to pass …"**

It appears that on 24.06.2006 at about 7.30 a.m. the respondent authorities intercepted the bus and on verification, found the bus carrying the students and staff belonging to some other educational institutions, but not the petitioner institution. Apart from that, it appears from the vehicle check report that during the check, neither the RC Book was produced nor proof of payment of tax for the quarter ending 30th June, 2006 was produced, and further certain irregularities

were also noticed as indicated in the vehicle check report. The enquiry regarding the alleged irregularities are still pending with the 1st respondent.

Learned counsel for the petitioner submitted that though the proof of documents could not be produced as indicated in the check report, as a matter of fact, all the necessary obligations of law have already been complied with by the petitioner even by the date of the checking of the vehicle.

Heard the learned Government Pleader.

In the circumstances, we are of the opinion that the writ petition can be disposed of at the admission stage itself by directing the 1st respondent to conclude the enquiry pursuant to the seizure of the vehicle, referred to earlier, within a period of two days from the date of receipt of a copy of the order and take appropriate decision thereafter in accordance with law.

With the above direction, the writ petition is disposed of.

JUSTICE J.CHELAMESWAR

JUSTICE D.APPA RAO

30TH JUNE, 2006

Note: Issue copy in two days.

(B/O) PGS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
D.APPA RAO

–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–
–

WRIT PETITION No.13214 OF 2006
(Per Sri Justice J.Chelameswar)

30TH JUNE, 2006